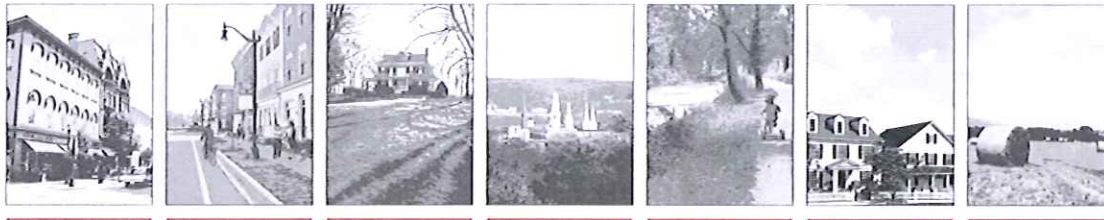


2012 Annual Planning Report

FREDERICK COUNTY, MARYLAND



M A N Y P L A C E S , O N E C O M M U N I T Y

Report on Smart Growth Goals, Measures, and Indicators

Report on Growth Related Changes

Report on APFO Restrictions

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Introduction

The 2012 Planning Report for Frederick County, Maryland was prepared pursuant to the requirements of the Land Use Article of the Annotated Code of Maryland. This report provides a summary of the year's planning activities undertaken by the Community Development Division and also documents development activity.

This report also addresses the following reporting requirements by the Maryland Department of Planning:

- Report on Smart Growth Goals, Measures, and Indicators and Implementation of Planning Visions
- Report on Growth Related Changes – the referenced changes may be found under other sections including Development Activity (p. 5), Community Facilities (p. 13), Zoning Administration Highlights (p. 14), Comprehensive Planning Highlights (p. 17)
- Report on APFO Restrictions

The changes in development patterns are found to be consistent with the 2010 County Comprehensive Plan as amended on September 13, 2012. The amendments to the County Zoning Ordinance are consistent with the County Comprehensive Plan and implement the State visions.

This report was reviewed by the Frederick County Planning Commission on June 12, 2012.

Project/Activity Highlights

- Acquired 8 land preservation easements on 1,160 acres, down slightly from 1,575 acres acquired in 2011.
- Processed 15 Board of Zoning Appeals cases, down slightly from 18 cases in 2011.
- Processed four (4) piecemeal Zoning Map Amendments, all for minor revisions to existing Planned Unit Development (PUD) and Mixed Use Development (MXD) projects. An additional five (5) zoning map amendments for PUD's and MXD's were submitted at the end of 2012 and would be reviewed in 2013.
- Processed 14 Zoning Ordinance Text Amendments, mostly part of the Priority 3 round of amendment reviews
- Processed 10 Water and Sewerage Plan amendments.
- Adopted comprehensive update of the County Subdivision Regulations in September 2012.

Development and Demographic Highlights

- The estimated county population, as of April 2012, was 236,272 up from 233,385 in 2010 (U.S. Census). This represents an average annual increase since 2010 of about 0.6%/year.
- The 893 permits issued for new residential dwellings in 2012 was a significant increase from the 533 permits issued in 2011. However, this number represents the 5th consecutive year that the County issued fewer than 1,000 new residential dwelling permits, which last occurred in the period 1967 – 1971.
- Commercial and industrial construction permit activity increased from 666 permits in 2011 to 755 permits issued in 2012 due primarily to increased activity in the City of Frederick.
- The approval of preliminary subdivision plans has also increased significantly from 2011 with 307 lots approved in 2012 up from 193 lots in 2011.
- Residential lot recordation for County subdivisions is on the upswing with 511 lots recorded in 2012 up from 157 in 2011.

Planning Commission and the Community Development Division

The Frederick County Planning Commission was established in July 1955 with the responsibility for preparing and administering plans and development regulations for the County. The Planning Commission is appointed by the Board of County Commissioners and its members serve for five year terms while one County Commissioner serves as liaison to the Planning Commission. The Planning Commission has final authority over site plans, subdivision plats, modifications to the subdivision regulations and determination of Adequate Public Facilities (APFO) for new developments. On items such as zoning map amendments, zoning or subdivision text amendments, and water/sewer plan amendments, the Planning Commission has an advisory role through the provision of a recommendation to the County Commissioners, who have the final authority to adopt or amend these plans and regulations. With regard to Comprehensive Plans, the Commission has recommending role and forwards such Plans to the County Commissioners for final adoption.

Planning Commission members during 2012:

- Dwaine Robbins, Chair (since July)
- Robert Lawrence, Vice-Chair
- William Hall, Secretary (since July)
- John McClurkin
- Richard Floyd (thru September)
- Catherine Forrence (thru June)
- Audrey Wolfe
- Bob White (thru June)
- Bill Hopwood (since November)
- Blaine Young, BOCC Liaison

Community Development Division

In February 2011 the Division of Planning and the Division of Permitting and Development Review were reorganized and merged with several other offices to form the Community Development Division, which was organized with five departments/offices.

Department of Planning and Development Review

- Comprehensive planning including preparation of the Countywide Comprehensive Plan and the community/corridor plans.
- Responsible for functional planning areas including water and sewer, transportation, historic preservation, and environmental planning.
- Conducts planning/engineering reviews of site plans and subdivisions and administers Forest Resource Ord. and the Adequate Public Facilities Ord.
- Provides staff assistance and coordination with the County's 12 municipalities.

Zoning Administration

- Provides Zoning administration and enforcement of the Zoning Ordinance. Administers the Board of Appeals.
-

Office of Sustainability and Environmental Resources

- Land preservation program administration
- Manages watershed restoration projects and federal stormwater permitting. Oversees sustainability projects.

Department of Permits and Inspections

- Administers building permit services and inspections
- Includes Office of Life Safety which is responsible for fire code reviews of building plans.
- Conducts grading permit reviews and inspections

Department of Business Development and Retention

- Focuses on economic development marketing and business retention.

The following commissions and boards are served by the Division staff:

- Board of Zoning Appeals
- Planning Commission
- Agricultural Preservation Advisory Board
- Agricultural Reconciliation Committee
- Historic Preservation Commission
- Monocacy Scenic River Board
- Transportation Services Advisory Council
- Business & Development Advisory Council
- Sustainability Commission

Directory of Commissions and Staff

As of December 2012

Board of County Commissioners

Blaine R. Young, President
C. Paul Smith, Vice President
Billy Shreve
David P. Gray
Kirby Delauter

Planning Commission

Dwayne Robbins, Chair
Robert Lawrence, Vice-Chair
William Hall, Secretary
John McClurkin
Bill Hopwood
Audrey Wolfe
Blaine Young, Commissioner Liaison

Board of Zoning Appeals

Al Duke, Chair
Carole Jaar Sepe, Vice-Chair
John Capoccia
Robert Fenimore
Mike Bowersox
Brad Dyjak, Alt.

Agricultural Preservation Advisory Board

Richard Grossnickle, Chair
Zene Wolfe, Vice-Chair
Paul Spurrier
Thomas Browning
Mehrlé Ramsburg, Jr.

Historic Preservation Commission

Jessica Cramer Winter, Chair
Gary Baker, Vice-Chair
William DeMartini
G. Bernard Callan, Jr.
James Moser
Kathryn McKenzie
Tyler Bastian
Barbara Wyatt
Joan Porter
Kristie Baynard
Nicholas Redding
Anthony Moscato, Jr.
Steven Pippin, Alt.

Monocacy Scenic River Citizens Advisory Board

| | |
|---------------------|--------------------------|
| Brian Cronin, Chair | Bill Hensley, Vice-Chair |
| Jack Lynch | Andrew Aughenbaugh |
| Bob Whiting | Scott Scarfone |
| Sam Roop | Tom Robertson, Jr. |
| George Grillon | |

Division Staff

Eric Soter, Division Director
Shawna Lemonds
Todd Weidman

Dept. of Permits and Inspections

Gary Hessong, Director
Manager Life safety/Plan Review
Bryon Mitchell
Manager Permitting Services
Sharon Goetz
Customer Services Supervisor
Pam Moulton

Dept. of Planning and Development Review

Jim Gugel, AICP, Planning Manager
Historic Preservation
Denis Superczynski, AICP
Transportation
Ron Burns
Dial Keju
Water and Sewer
Tim Goodfellow, AICP
Development Review
Tolson DeSa
John Dimitriou, RA
Denis Superczynski, AICP
Mike Wilkins

Zoning Administration

Larry Smith, Zoning Administrator
Craig Terry
Justin Horman
Bill Bigelow

Sustainability and Environmental Resources

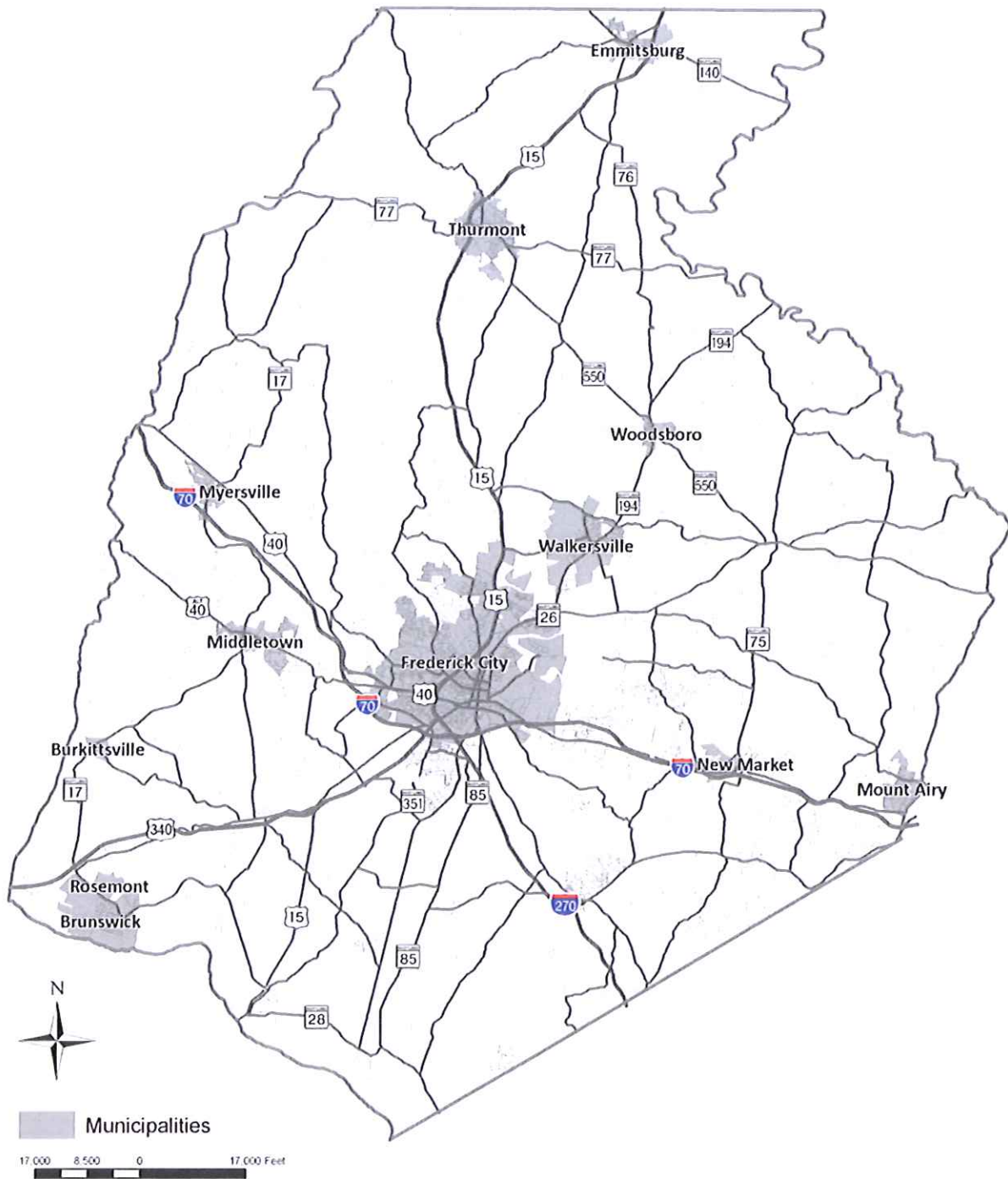
Shannon Moore, Director
Anne Bradley, Land Preservation
Heather Montgomery
Jessica Seipp
Lisa Orr
Sabrina Harder
Nicole Robinson

Dept. of Business Development and Retention

Helen Riddle, Director
Jodie Bollinger
Sherman Coleman
Colby Ferguson
Sharon Hipkins
Sandy Wagerman

Administrative/Technical Support Staff

Lori Barlet-Chapman, Erica Cooke, Emily Roche, Linda Williamson, Patti Wolfgang



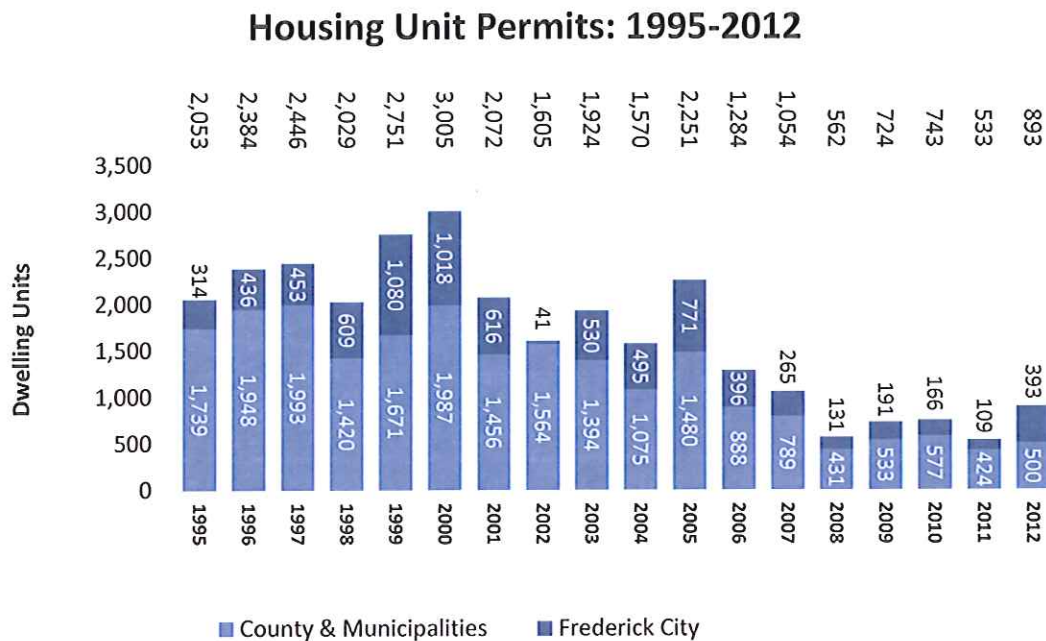
Development Activity

Housing Construction

In 2012, the number of permits issued for residential dwellings increased significantly to 893 dwellings from 2011's 533 dwellings. Much of this increase occurred in the City of Frederick, which experienced an increase from 109 dwellings in 2011 to 393 in 2012. This is the fifth consecutive year the County has issued fewer than 1,000 new dwelling permits. The last period when the County experienced this level of housing activity was 1967 – 1971. The start of the 2010 decade shows a three-year average of 670 dwellings/year. The decade of 2000 to 2010 averaged 1,600 dwellings/year.

Dwelling Type

The table on the following page shows the breakdown of dwelling type for new residential dwelling permits for the entire county and the municipalities. Over this six-year period 59% of the dwellings were single-family, 24% townhouses, and 17% multi-family. For 2012 the number of multi-family units increased significantly accounting for almost 1/3 of the total dwellings constructed.



Source: Frederick County Community Development Division

Dwelling Type Constructed/Permits Issued

| Dwelling type | 2007 # units % of Total | 2008 # units % of Total | 2009 # units % of Total | 2010 # units % of Total | 2011 # units % of Total | 2012 # units % of Total |
|------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
| Single Family detached | 590 56% | 361 64% | 415 57% | 463 62% | 366 69% | 448 50% |
| Townhouse | 246 23% | 109 19% | 218 30% | 223 30% | 121 23% | 168 19% |
| Multi-Family | 218 21% | 92 16% | 90 12% | 57 8% | 46 9% | 277 31% |
| Total | 1054 | 562 | 723 | 743 | 533 | 893 |

Residential Subdivision Activity

Subdivision activity took a significant jump in 2012 from the three years prior. Total Residential lot recordation is up significantly from 2011. The 307 preliminary lots approved in 2012 are down slightly from the 357 lots approved in 2011. See page 10 for the subdivision location map.

Residential Lots Recorded - 2012

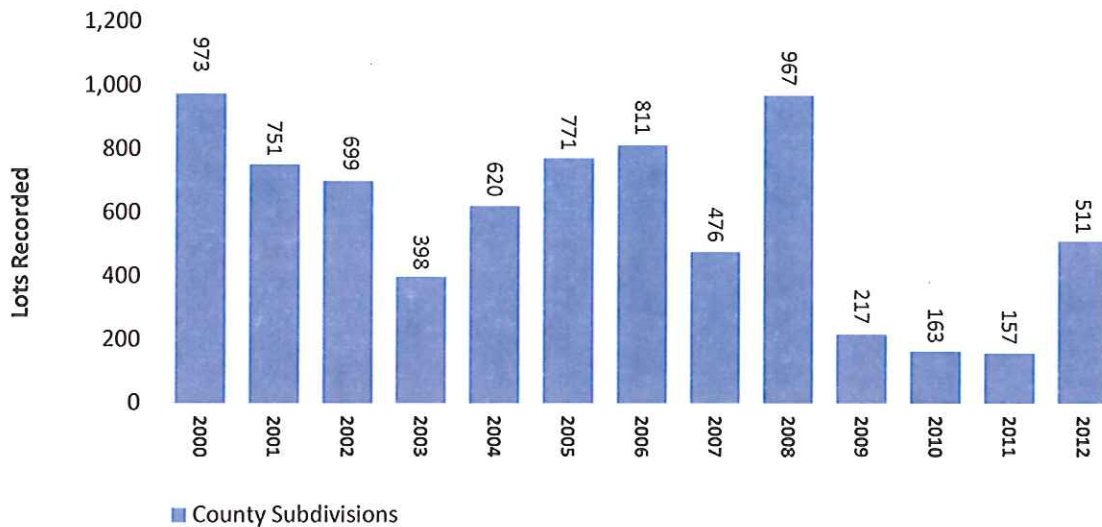
| Zoning District | Lots/Units | Total Acreage | Density acres/dwelling |
|----------------------------|-----------------|----------------|------------------------|
| Resource Conservation | 8 | 59 | 7.4 |
| Agricultural | 29 | 250.5 | 8.6 |
| A/RC (split zoning) | 9 | 87.8 | 9.8 |
| R-1 Low Density Res. | 22 | 38.2 | 1.7 |
| R-3/Village Center (split) | 2 | 7.9 | 4 |
| Planned Unit Development | 441 | 34.6 | 12.6 du/ac |
| Total | 511 lots | 478 ac. | |

Preliminary Subdivisions Approved - 2012

| Map # | Subdivision Name | Lots | Zoning |
|-------|--------------------------|-----------------|--------|
| A | Villages of Urbana, M-1F | 6 | PUD |
| B | Younkins PUD | 237 | PUD |
| C | Manorwood | 13 | R-1 |
| D | Supply to Barren | 31 | R-1 |
| E | Spring Hollow Farm | 14 | R-1 |
| F | Clover Hill III, sec. 12 | 6 | R-3 |
| | Total | 307 lots | |

The graph on the next page shows the residential lot recordation activity since 2000. This graph includes lots zoned Agricultural, Resource Conservation, and residential and only includes County subdivisions. During the 1990's the average was 947 lots/year.

Residential Lots Recorded: 2000-2012



Source: Frederick County Community Development Division

Residential Pipeline Summary

The pipeline illustrates how many residential lots/dwelling units have received some level of development approval but are not yet built. The pipeline data below captures residential developments approved under the County's jurisdiction as well as by the municipalities.

Under the County's jurisdiction the pipeline includes any lot or dwelling unit approved for residential use including those zoned Agricultural and Resource Conservation in addition to developments zoned residential, Planned Unit Development (PUD), or Mixed Use Development (MXD).

Residential Development Pipeline as of July 2012

| Jurisdiction | Traditional Pipeline | Recorded Lots/Dwellings Available | Unrecorded Pass APFO | Pending APFO |
|--|----------------------|-----------------------------------|----------------------|--------------|
| Municipalities (except Frederick City) | 1,864 | 258 | 1,550 | 91 |
| City of Frederick | 5,021 | 1,079 | 2,235 | 1,596 |
| Municipal Subtotal | 6,885 | 1,337 | 3,785 | 1,687 |
| Minor sub's/ Lots of Record | 1,626 | 1,626 | 0 | 0 |
| Major Projects | 8,409 | 1,057 | 4,319 | 3,033 |
| County Subtotal | 10,035 | 2,683 | 4,319 | 3,033 |
| Total | 16,920 | 4,020 | 8,104 | 4,720 |

Traditional Pipeline: Lots/Dwellings with Preliminary Plan or Phase I PUD or MXD Plan approval less the number of building permits Issued.

Recorded Lots/Dwellings Available: recorded lots but not yet developed.

Unrecorded Pass APFO: The number of lots in a subdivision which have not yet been recorded but have passed the APFO.

Pending APFO: The number of lots in a subdivision which have not passed the APFO.

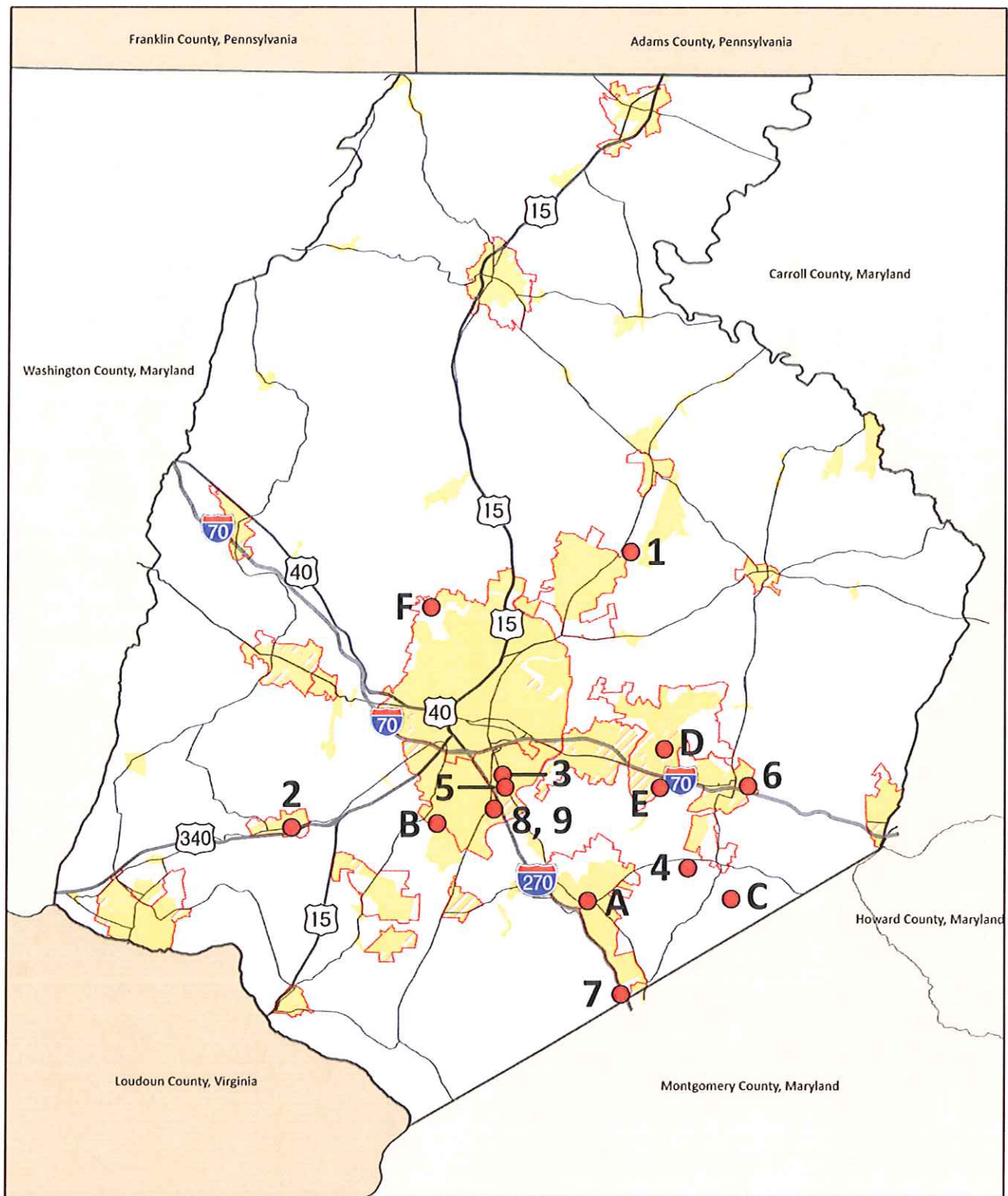
Source: Frederick County Community Development Division, City of Frederick Planning Department

Commercial Construction and Site Plan Activity

The table below lists the site plans approved by the County Planning Commission during 2012. The map on page 10 shows the locations of the site plans relative to the community growth areas and Priority Funding Areas (PFA's). The number of site plans approved in 2012 (9) is a significant decrease from 2011 (24) and 2010 (23).

While the overall commercial and industrial permit activity increased to 755 permits in 2012, which is up from 666 permits in 2011 the activity just within the County and other municipalities excluding Frederick actually decreased (452 to 447). The 755 permits is a five-year high and is due primarily to a significant increase in activity in the City of Frederick where permits increased from 214 to 308 (94 permits, 44% increase). Types of commercial and industrial permits include new buildings or businesses, additions to existing buildings, and changes in tenancy within commercial buildings. During the past 5 years, there has been an average of 690 such permits issued annually.

| Site Plan Approvals - 2012 | | | |
|----------------------------|----------------------------|--|--------|
| Map # | Name | Description | Zoning |
| 1 | Barrick's Garden Center | Retail garden center and nursery | A |
| 2 | Kaler Property | Ice cream / sandwich shop use within an existing 751 square foot barn as well as add a 256 square foot addition onto the existing barn | VC |
| 3 | Coffman Recycling Service | Recycling distribution center to occupy two proposed buildings, on a 2.94-acre site | GI |
| 4 | SBA Temple | Place of worship (51,425 sq ft) with 5 priest homes, on a 43.73-acre site. | A |
| 5 | Wawa | Convenience store/gas station on a 2.62-acre site. | GC |
| 6 | Turnpike Farms | Office/Dental clinic (6,000 sq ft) including an addition onto an existing house. | GC |
| 7 | Global Mission Church | Place of Worship (118,530 sq ft) on a 78.72-acre site. | A & RC |
| 8 | Center at Monocacy, Lot 1 | Office/commercial building (21,775 sq ft) on a 3.116-acre site. | LI |
| 9 | Center at Monocacy, Lot 15 | Restaurant building (8,000 sq ft) and a restaurant/commercial building (8,125 sq ft) | LI |



2012 Site Plan and Subdivision Projects



- Community Growth Area
- Heritage Area in Locally Designated Growth Areas
- PFA
- PFA Comment Area

22,000 11,000 0 22,000 Feet

Smart Growth Goals, Measures, and Indicators

Local Land Use Goals

The County's 2010 Comprehensive Plan includes several goals to support development within the community growth areas. The 2010 Plan continues the implementation of the Community Concept, which was first developed in the County's 1972 Plan that focuses growth into the municipal growth areas and unincorporated growth areas.

- Reduce non-rural development outside of CGA's while maintaining opportunities for compatible agricultural support services and uses in Rural Communities.
- Increase the proportion – and 'per acre' unit density – of new residential development occurring within CGA's while minimizing new residential development outside of the County's CGA's.
- Establish as a targeted goal for the development and redevelopment of lands within CGA's, an average density of 7.5 dwellings/acre by the year 2025.

Measures and Indicators

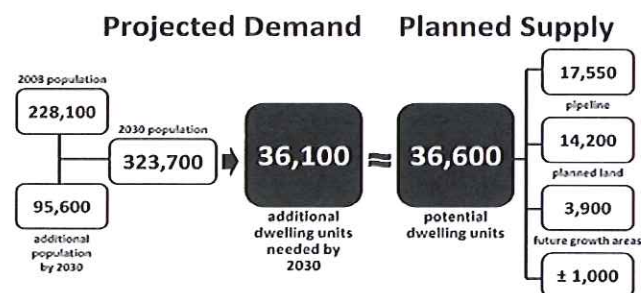
Growth Activity Inside/Outside PFA's

| Measure/Indicator | Inside PFA | Outside PFA |
|---------------------------------------|--------------------------------------|---------------------------------------|
| Residential Lots Recorded | 443 lots 42.5 acres 10.4 du/ac | 68 lots 435.5 acres 1 du/6.4 ac |
| Preliminary Subdivision Lots Approved | 249 lots | 58 lots |
| Non-Residential Site Plan Approvals | 54,456 sq ft 15.3 acres | 175,555 sq ft 127 acres |

The non-residential site plan approvals outside of a PFA include two large places of worship, which together account for 169,955 sq ft.

Development Capacity Analysis

A development capacity analysis was prepared as part of the 2010 County Comprehensive Plan. A separate report, *Residential Needs and Development Capacity Analysis* is available on our web page. A summary of the capacity analysis is provided below:



In September 2012 the Board of County Commissioners adopted a Comprehensive Plan/Zoning Review, which included revisions to the land use plan designations and zoning. While a comprehensive update of the 2010 Residential Needs and Development Capacity Analysis report has not yet been prepared noted below is the additional residential development potential from the 2012 Comprehensive Plan amendment.

- Zoning Changes – result in an additional 2,368 dwellings.
- Plan Changes – result in an additional 12,467 dwellings.

It should be noted that approximately 1,000-2,000 of these potential dwellings are already counted in the 2010 capacity analysis in either the planned land or future growth area categories.

Agricultural Land Preservation

In 2012 the County acquired a total of 1,160 acres agricultural/land preservation easements. A detailed breakdown of land preservation by all programs can be found on page 20.

Adequate Public Facilities Ordinance Restrictions

APFO Amendments

There were no text amendments to the Adequate Public Facilities Ordinance in 2012.

Schools

The County's Adequate Public Facilities Ordinance (APFO) establishes the school adequacy threshold at 100% for all school levels. Based on the Frederick County Public Schools *Enrollment and Capacity Report as of September 28, 2012* there were 14 elementary, three (3) middle, and one (1) high school whose enrollments were at or over 100% of the state rated capacity. Many of these school districts include areas in both the county and a municipality and not all of the municipalities have their own APFO's.

The system wide enrollment is at 88% of state rated capacity as of September 2012. This is down from 89% in September 2011.

Elementary – Seven of the affected elementary schools are located within the City of Frederick. Four schools are located in the Urbana, New Market, and Linganore communities in the eastern part of the county. One school, Tuscarora, is located in the Ballenger Creek community south of the City of Frederick. Only one

school, Yellow Springs, has a school district that is mostly outside of a Priority Funding Area (PFA).

Middle – Two of the affected middle schools, Urbana MS and Oakdale MS, are located in the eastern part of the county. The third is a charter school located in the City of Frederick.

High – The only high school over 100% is Middletown, located in the western part of the county.

School Projects – The 2012 Educational Facilities Master Plan (EFMP) includes 10 elementary school projects that would add 4,475 new seats. Four projects are renovation/additions and six are for new schools. There is one middle school project for an addition to Urbana Middle which will add 300 seats. The one high school project is a new school to replace the existing Frederick High building on the same site. All of these projects are proposed for completion between 2012 and 2021. The EFMP is updated annually, and the priorities are folded in the six-year County Capital Improvement Program (CIP).

Community Facilities

Coordination of the priority and location of community facilities is a key element in the comprehensive planning process. The County Comprehensive Plan identifies the general location of planned facilities expected to be needed over a 20-year time frame. The specific locations and timing for construction of the facilities is implemented through the Capital Improvements Program (CIP) and through the development process.

Capital Improvements Program

The Community Development Division with the Budget Office and Finance Department jointly prepares a six-year Capital Improvements Program (CIP). Following submittal of requests by departments and agencies, the staff prioritizes and schedules the requests after review of the County Comprehensive Plan and funding resources including a debt affordability limit analysis for proposed bonding. The staff recommendations are then presented to the Planning Commission for review and comment and to the Board of County Commissioners for final approval on funding and timing.

FY 2013-2018 CIP Summary (in millions)

| | |
|--------------------------|----------------|
| General Government | \$ 64.4 |
| Water & Sewer | \$ 54.4 |
| Solid Waste | \$.3 |
| Parks & Recreation | \$ 29.7 |
| Watershed Restoration | \$ 1.2 |
| Roads, Bridges, Highways | \$ 113.9 |
| Frederick Com. College | \$ 54.7 |
| Schools | \$328.2 |
| Municipal | \$ 1.7 |
| Total | \$648.5 |

School Facilities

The County's Approved FY 2013-2018 CIP includes four projects to increase school capacity:

- Waverly Elementary –200 seat addition
- N. Frederick Elem. – Renovation/replacement with 180 new seats
- Urbana Middle – 300 seat addition
- Urbana Area Elementary – new 675 seat school

In 2012 the County opened the following school projects:

- Lincoln Elementary - Renovated/expanded school located in the City of Frederick.
- Oakdale Elementary – 240 seat addition

Transportation Facilities

There were no new roads or major expansion projects completed in 2012.

Other Facilities

There were no other facilities such as fire stations or parks completed/opened in 2012.

Zoning Administration Highlights

Board of Appeals - The 15 cases filed for 2012 continue to be consistent with the previous three years; 2009 having 18, 2010 having 16, and 2011 having 18. The type of requests heard for 2012 were weighted toward Special Exceptions with 7 applications, followed by 3 Variance applications and 3 Administrative Appeals. A total of three applications were withdrawn by applicants before being heard by the Board.

| Case # | Applicant | Request | Decision |
|---------|--|---|---|
| B-12-01 | Samuel L. Boyer | Variance of 25 ft. from the required 55 ft. setback from the center line of the street to construct a residence | Granted |
| B-12-02 | Mount St. Mary's University | Variance in Building height from 30' to 45' | Withdrawn |
| B-12-03 | Monocacy Montessori Communities Inc. | Special Exception to establish a public charter elementary school | Granted |
| B-12-04 | Poplar Ridge Subdivision | Variance of 14.5 ft. from the required 15 ft. setback in order to place a community entrance sign | Granted |
| B-12-05 | Carolyn K. Macintosh | Special Exception to establish an accessory apartment greater than 800 square ft. | Granted |
| B-12-06 | Joseph Richardson Mountainside Day Camp | Special Exception to expand a previously approved structure for a rustic/retreat camp/outdoor club (previous cases B-02-22 & B-06-38) | Granted |
| B-12-07 | Great Southern Investment, LLC | Claim of Administrative Error relative to the May 30, 2012 decision of the Division of Permitting and Development Review in the approval of building permit # 100648 filed by New Cingular Wireless PCS, LLC to install 12 panel antennae on an existing 204 ft. communications tower | Withdrawn |
| B-12-08 | David & Denise Wolf | Accessory Apartment – 1300sf | Withdrawn |
| B-12-09 | Donald Hurley, Rickey Hurley, and Jeffrey & Erna Green | Variance from the required minimum lot area, the minimum lot width and the minimum side yard setbacks for lots in order to complete addition plat process | Granted |
| B-12-10 | Grant County Mulch Inc. | Special Exception to expand a previously approved use (previous case # B-11-07) with additional acreage and grinder for wood waste recycling | Granted - Acreage Denied- Grinder |
| B-12-11 | Springfield Manor Winery and Distillery | Special Exception to establish a Country Inn to be used with Farm Winery | Granted |
| B-12-12 | Friends of Frederick County | Claim of Administrative Error relative to the October 4, 2012 decision of the BOCC in the approval of Case No. DRRA-12-01, the DRRA for Landsdale PUD | Denied BoCC Approval of DRRA upheld |
| B-12-13 | Friends of Frederick County | Claim of Administrative Error relative to the October 4, 2012 decision of the BOCC in the approval of Ordinance No. 12-26-621 to amend Phase I PUD Plan for Landsdale PUD | BOA did not have jurisdiction on a Legislative action of the BOCC |
| B-12-14 | William Fee | Special Exception to expand a nonconforming use by swapping existing mobile homes for larger ones as per Ordinance section 1-19-4.230 | Granted |
| B-12-15 | Amy M & Laura B. Aldhizer | Special Exception to establish a kennel; and a Variance of .6424 acres from the 5 acre min lot size req. per Ordinance sections 1-19-8.338 and 1-19-6.100 | Denied |

Zoning Ordinance Text Amendments

| CASE # | TEXT AMENDMENT |
|---|--|
| ZT-12-14 | <p><u>Nongovernmental Utility Text Amendment</u>- Amended sections of the Ordinance to address concerns regarding the processing of the 'Nongovernmental Utility' and 'Nongovernmental electric substation' land uses; Amended sections to:</p> <ul style="list-style-type: none"> • Create the 'nongovernmental electric substation' land use • Permit the 'nongovernmental electric substation' land use within the LI and GI zoning districts • Create minimum lot area, lot width and setback requirements for 'nongovernmental utility' and 'nongovernmental electric substation' land uses within the design requirements table • Create special exception criteria for the 'nongovernmental electric substation' land use • Amend the existing special exception criteria for the 'nongovernmental utility' land use • Create and amend definitions for 'nongovernmental electric substation' and 'nongovernmental utility' land uses • Amend the existing definitions for 'Accessory Use or Structure and Utility' |
| ZT-12-03 | <p><u>Communications Tower Text Amendment</u>- Amended existing provisions to require removal of communication towers in existence prior to 1999, if they cease to be used for wireless communications for 12 months; Consideration of text amendment was originally part of the Priority 3 Zoning Ordinance Text Amendments but after discussion by the BoCC, a motion was approved to table ZT-12-03, and bring back certain text amendments proposed by the applicant to the BoCC within 60 days.</p> |
| ZT-12-01, ZT-12-02 and ZT-12-04 thru ZT-12-13 | <p><u>Priority 3 Text Amendments</u>- Amended sections of the Ordinance to:</p> <ul style="list-style-type: none"> • Create 'Limited agricultural activity' to permit keeping of farm animals on parcels containing less than 3 acres in a residential district • Create 'Limited funeral establishment' to permit the practice of mortuary science as an accessory use to a single family residence in the RC district • Permit 'Bed and breakfast' establishments in the residential districts • Clarify permitted signage for professional offices as an accessory use to a single family residence • Remove the prohibition of 'Video lottery facilities' from the zoning ordinance • Permit bus shelter signage within the right-of-way • Remove the limitation of April and October submissions of individual zoning map amendment applications • Permit the development of Moderately Priced Dwelling Units within the R1 zoning district • Reorganize the Mineral Mining floating zoning district and amend provisions to remove conflicts with State surface mining permit requirements • Consolidate existing provisions related to accessory structures on residential properties into one section of the zoning ordinance • Provide consistency between State and local regulations regarding Family Child Care Home • Permit Farm Winery Tasting Room and Farm Brewery Tasting Room in RC Zoning District |

Zoning Administration Activities

| Activity | FY 2012 |
|--------------------------------|---------|
| Zoning Enforcement Site Visits | 457 |
| Zoning Violation Complaints | 123 |
| Zoning Verification Letters | 80 |
| Lot of Record Determination | 26 |

Comprehensive Planning Highlights

The Comprehensive Planning activities include the preparation and updating of the County Comprehensive Plan as well as the preparation of community/corridor plans. Staff also has responsibility for functional planning areas including transportation, water and sewer, historic preservation and environmental planning.

Comprehensive Plan/Zoning Review

In May 2011 the Board of County Commissioners initiated a review of the recently adopted 2010 County Plan. During the summer of 2011 an application period was open to allow property owners to submit requests to change their zoning and/or land use plan designation and approximately 193 requests were submitted. In all, 215 requests were considered during this review with 174 of the requests approved. Between the BOCC and FCPC there were 17 public work sessions and hearings to consider the requests. The approved requests which resulted in revisions to the land use plan designation and/or zoning were adopted on September 13, 2012.

- Approximately 9,537 acres had a change in the land use plan designation.
- Approximately 4,166 acres had a change in zoning.

To support the revisions to the land use plan designations and zoning community facility symbols and a number of highway plan elements were added in several community growth areas. In addition school sites in the Linganore, Urbana, New Market and Monrovia communities were added to include:

- Three elementary school sites
- Two middle school sites
- One high school site

Community and Corridor Planning

The 2010 County Comprehensive Plan established a new planning process that will allow for plan updates to occur at three levels: County Plan, Community Plans, and Corridor Plans. Another update process will involve coordination with municipal plan updates, which may result in amendments to the County Comprehensive Plan to maintain consistency between

the county and municipal plans.

Brunswick Community Plan Amendment

The City of Brunswick adopted their Comprehensive Plan in November 2011. As part of the newly established community plan update process the County undertook a review of the City plan and proposed revisions to the growth area boundary to maintain consistency between the two plans. The Board of County Commissioners adopted the plan amendment on July 26, 2012.

Land Preservation, Parks and Recreation Plan

This state mandated plan was last updated in 2006 and is required to be updated every five years. The plan addresses park/recreation, agricultural preservation, and natural resource conservation. The Community Development Division began coordination of the update with the County Parks and Recreation staff. The plan was approved by the Board of County Commissioners on June 28, 2012.

Historic Preservation

The Historic Preservation staff oversees updates of the Historic Preservation Plan, last updated in 2007 and the Historic Preservation Ordinance, which was adopted in 1997. Staff is also responsible for administering the Historic Preservation Commission.

County Register of Historic Places

Through the Plan and the Ordinance the County maintains The County Register of Historic Places which currently consists of eight sites. Work performed on these designated landmarks is reviewed by the County's Historic Preservation Commission (HPC) for compliance with the Interim Design Guidelines. Its approval is issued as a Certificate of Appropriateness (COA).

Coordination Activities

Staff serves a coordinating role with the following organizations and activities:

- Maryland Heritage Areas Authority Board related to the Heart of the Civil War Heritage Area (HCWHA).
- Catocin Mountain Scenic Byway Advisory Committee.

Environmental Planning

The Division staff primarily serves in a coordinating role with various environmental planning activities. The watershed management staff previously under the Division of Public Works have been moved into the Community Development Division. The Office of Sustainability and Environmental Resources is responsible for watershed restoration projects, the County's stormwater permit (National Pollutant Discharge Elimination System), and coordinating the County's Watershed Implementation Plan related to the Chesapeake Bay TMDL requirements. The Division also is the primary staff to the Monocacy Scenic River Board. Activity highlights for 2012 include:

- Division staff continued its partnership with the Conservation Fund, the US EPA and the US Fish and Wildlife Service in the week-long course entitled, "*Strategic Conservation Planning Using a Green Infrastructure Approach*" in Shepherdstown, WV. Staff lectured at the course where Frederick County is used as a case study for class participants from all over the US to create a Green Infrastructure Plan, utilizing environmental, social and economic aspects of Frederick County in the overall design and implementation of their Green Infrastructure Plan.
- The Monocacy Scenic River Board launched a stream naming project, "The Monocacy Starts Here," to engage citizens in researching to submit names for six tributaries to the Monocacy River that are not currently named. The project received over 35 submissions for stream names that will first be evaluated by a local review committee before being sent to the US Geologic Survey's Board of Geographic Names for final selection in 2013.

Transportation Planning

The Community Development Division is responsible for coordinating a variety of transportation plans and studies, which involve highway, transit, and bicycle/pedestrian facilities. Primary responsibilities include long range planning and coordination with inter-agency and inter-jurisdiction transportation projects. Activity highlights for 2012 include the following:

- Continued work on the Travel Demand Model including updates to the TAZ's, land use data, and countywide roadway network edits.
- Coordinated the Annual Transportation Priorities Review with the Planning Commission and the Board of Commissioners.
- Continued with limited work on the draft Bikeways and Trails plan document.

Maryland DOT Project Coordination

Transportation planning staff participates on the Project Teams for State highway projects and studies. The following were active in 2012.

- MD 180/351
- US 15/Monocacy Boulevard Interchange
- MD 85 Phase I

Municipal Planning Services

The Division continues to provide planner and liaison services to the County's 12 municipalities. In 2012 Planning staff served as the Town Planners to three municipalities: Rosemont, Thurmont and Woodsboro. The remaining municipalities have their own planning staffs, though the Division continues to have its staff serve as liaisons to the municipalities. The following activities occurred in 2012:

- Continued with quarterly municipal planner meetings.
- Conducted three annexation reviews in 2012 including the Crum II and Keller properties in the City of Frederick and the Nicademus property in the Town of Walkersville.

Water & Sewer Planning

The County adopted water and sewer classification changes to numerous properties through amendments to the Water and Sewerage Plan resulting from the 2012 revisions to the County Comprehensive Plan. Properties that were rezoned or had land use plan changes in 2012 had corresponding changes to their water and sewer classifications. On February 13, 2013, the Maryland Department of the Environment (MDE) approved all of the water and sewer changes related to the 2012 County Comprehensive Plan revisions.

The Community Development Division administers regular spring, summer, and fall amendment cycles to the County's Water and Sewerage Plan. During 2012, ten (10) applications for changes to Water and Sewerage Plan classifications were reviewed as part of the amendment cycles. The County awaits final MDE disposition of the 2011 triennial update of the Plan, which was approved by the Board of County Commissioners in November 2011.

| <u>Case</u> | <u>Applicant</u> | <u>Location and Request</u> | <u>Decision</u> |
|--------------------|---|---|------------------------|
| WS-12-01 | Town of New Market | Reclassification from W-5 to W-3. 80 West Main Street. | Approved |
| WS-12-02 | Town of New Market | Reclassification from W-5 to W-3. 146 West Main Street. | Approved |
| WS-12-03 | Homewood Retirement Centers. | Reclassification from W-4, S-4 to W-3, S-3 and from W-5, S-5 to W-4, S-4. Willow Road at US 15 within the City of Frederick. | Approved |
| WS-12-04 | Community Development Division | Text amendment to Chapter 1 of the Plan to add a definition of "Public Service Facility" and describe conditions for public water and sewer provision to such facilities. | Approved |
| WS-12-05 | Town of New Market | Reclassification from W-5 to W-3. 150 West Main Street. | Approved |
| WS-12-06 | Kiplinger Washington Editors, Inc. | Reclassification from W-5 to W-3. 3514 Urbana Pike. | Approved |
| WS-12-07 | YBC Investors, Inc. | Reclassification from W-4, S-4 to W-3, S-3. New Design Road at English Muffin Way. | Approved |
| WS-12-08 | Frall Developers, Inc. | Reclassification from W-4, S-4 to W-3, S-3. Yeagertown Road. | MDE review pending |
| WS-12-09 | Monocacy Ventures, LLC, Monocacy Investments, LLC | Reclassification from W-4, S-4 to W-3, S-3. Ed McClain Road, south of Bush Creek. | MDE review pending |
| WS-12-10 | Baker Park, LLC | Reclassification from W-5, W-4 and S-5, S-4 to W-3, S-3. Northwest side of East Church Street extended within the City of Frederick | MDE review pending |

Land Preservation Activities

The Division administers five land preservation programs including three State programs: the Maryland Agricultural Land Preservation Program Foundation (MALPF), Rural Legacy and Conservation Reserve Enhancement Program (CREP); and two County programs, Critical Farms and Installment Purchase Program (IPP). The County also coordinates with the Federal Farmland Protection Program (FRPP) and the State's Maryland Environmental Trust (MET) program. Additional details of activity in 2012 can be found in the County's Agricultural Land Preservation Annual Report for 2012. As of December 2012 the County had a total of 48,710 acres under permanent preservation.

Critical Farms Program

This is a County program established in 1994 that is used to assist full-time farmers in buying farmland. The properties involved are subsequently preserved under one of the other preservation programs.

Rural Legacy Program

This is a State Program established in 1999 and funded through grants from the Department of Natural Resources (DNR) with County matching funds. The County currently has two designated Rural Legacy Areas: The Mid-Maryland Rural Legacy Area located in the Middletown valley, and the Carrollton Manor Rural Legacy Area located in the Adamstown Region.

MALPF

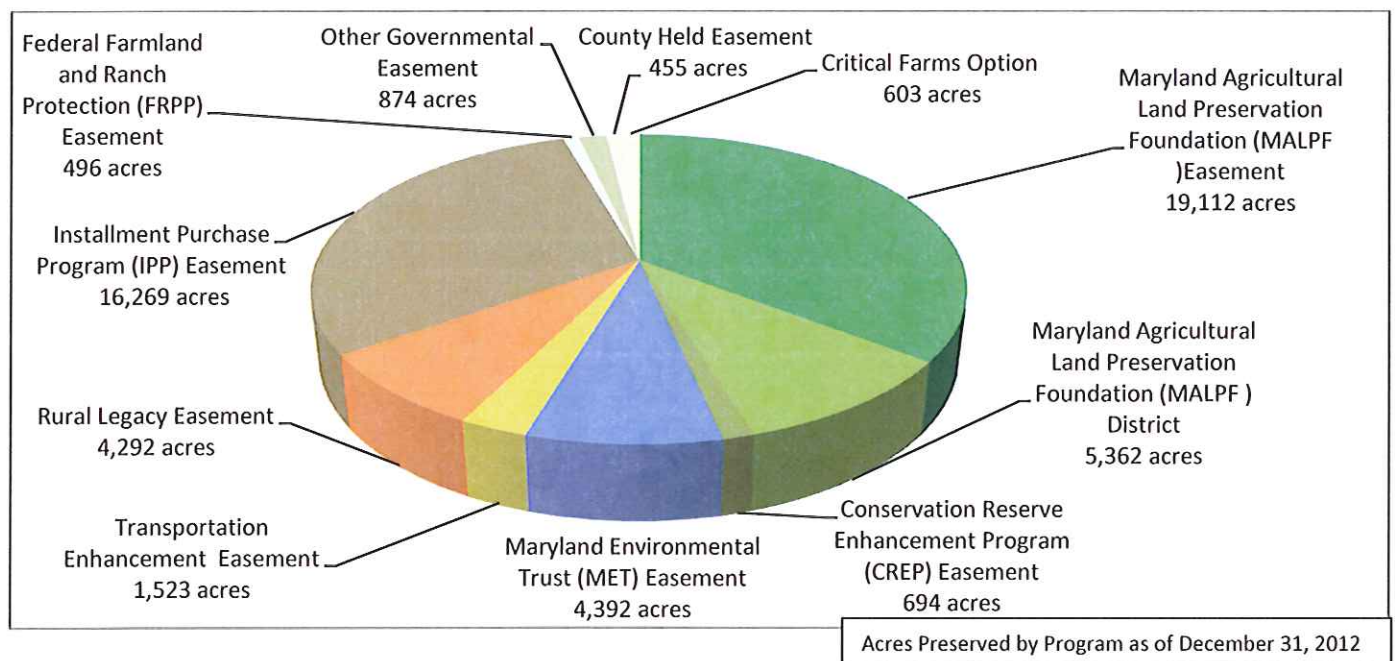
This is a State program created in the 1970's and Frederick has participated since 1979.

Installment Purchase Program (IPP)

A County program created in 2002, purchases easements using Zero Coupon Bonds and revenue from a 10% share of the County's Recordation Tax. This process enables the County to leverage existing funding to purchase more easement acreage than through traditional lump-sum-easement purchase programs.

2012 Easement Acquisitions

| Program | Number of Easements Acquired | Acreage |
|----------------|------------------------------|--------------------|
| CREP | 1 | 297 |
| Critical Farms | 1 | 74 |
| MALPF | 3 | 406 |
| MET | 1 | 143 |
| Rural Legacy | 2 | 240 |
| Total | 8 | 1,160 acres |

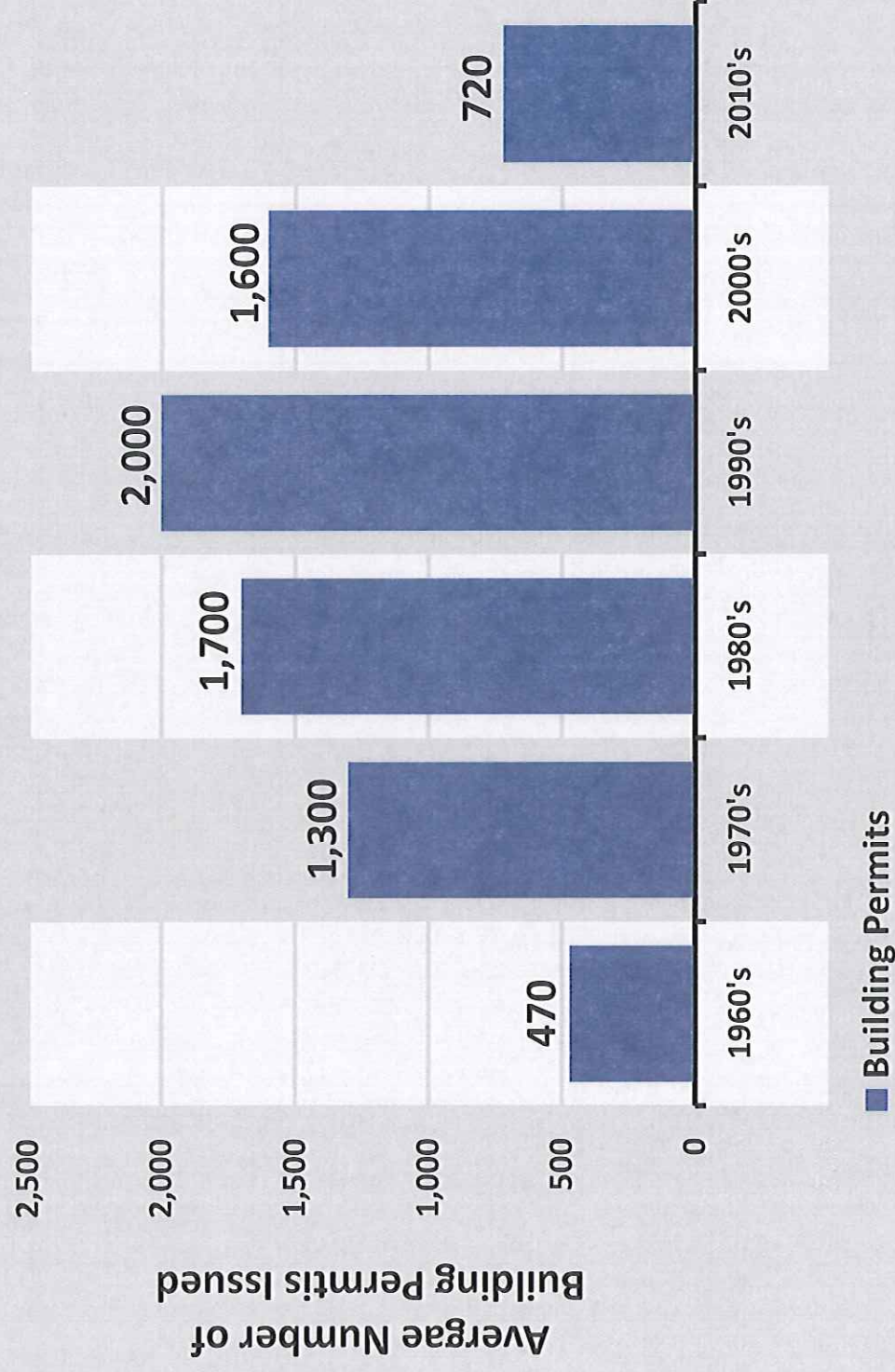


Frederick County Annual Planning Report Highlights for 2012

Frederick County
Community Development Division



Average Annual Housing Units by Decade Frederick County, MD



Source: Frederick County Community Development Division

Housing Units Permitted: 1997-2012

